

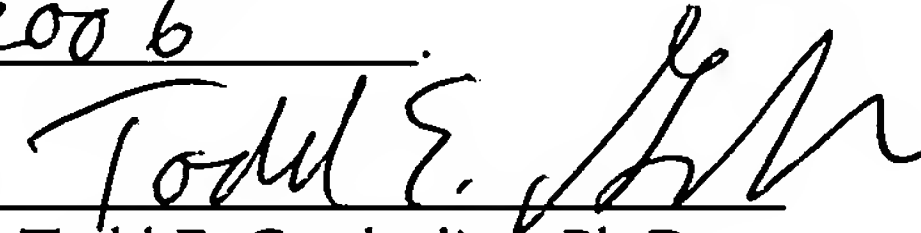
10/582043
AP3 Rec'd PCT/PTO 07 JUN 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : DAVID GAUDOUT, ET AL.
Serial No. :
Filed : HEREWITH
For : BIOPESTICIDE COMPRISING A COMPOSITION
RICH IN DIALLYL POLYSULPHIDES
Examiner :
Attorney Docket : 102882-102
Group Art Unit :
Confirmation No. :
Customer No. : 27267

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope marked "Express Mail" addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on 07 June 2006.

By



Todd E. Garabedian, Ph.D.

Registration No. 39,197

Attorney for Applicants

INFORMATION DISCLOSURE LETTER

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as a representation that no better art exists or that a thorough patentability search has been made.

The undersigned further represents that the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

1. United States Patent No. 6,511,674 B1 (ARAND, ANTHONY and ARAND, JOHN K.) 28 January 2003, "Garlic Composition for Foliar Applications" (2003-01-28).

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2. United States Patent Application Publication No. US 2003/0077264 A1 (GOODRICH, LAURA L.) 24 April 2003 "Antimicrobial Blood Treatment Using Allicin and Related Compounds" (2003-04-24).
3. LAWSON, LARRY D., ET AL., "*Identiication and HPLC Quantitation of the Sulfides and Dialk(en)yl Thiosulfinates in Commercial Garlic Products*", XP 000195907, PLANTA MEDICA, Vol. 57, Pages 363-370 (1991).
4. TSAO, SHYH-MING and YIN, MEI-CHIN, "*In-vitro antimicrobial activity of four diallyl sulphides occurring naturally in garlic and Chinese leek oils*", XP-002347994, J. MED. MICROBIOL., Vol. 50, Pages 646-649 (2001).
5. DEB-KIRTANIYA, S., ET AL., "*Extracts of garlic as possible source of insecticides*", XP009055038, INDIAN JOURNAL OF AGRICULTURAL SCIENCES, Vol. 50 No. (6), Pages 507-509 (June, 1980).
6. STABA, E. JOHN, ET AL., "*A Commentary on the Effects of Garlic Extraction and Formulation on Product Composition*", XP-002287824, AMERICAN SOCIETY FOR NUTRITIONAL SCIENCES, Pages 1118S-1119S (2001).
7. BLOCK, ERIC, "*The Chemistry of Garlic and Onion, A number of curious sulfur compounds underlie the odor of garlic and the crying brought on by slicing an onion. The compounds also account for medical properties long ascribed to garlic and onions*", XP002909483, SCIENTIFIC AMERICAN, SCIENTIFIC AMERICAN, INCL, Vol. 252, No. 3, Pages 114-119 (1985).
8. MÜTSCH-ECKNER, MARGO, ET AL., " *γ -Glutamyl Peptides from Allium Sativum Bulbs*", XP-002347995, PHYTOCHEMISTRY, Vol. 31, No. 7, Pages 2389-2391 (1992).
9. ALLIUM, S. E., "*Garlic Barrier Ag for Natural Insect Control*", XP-002107679, 'Online!', Last Modified on 16 November 1997 (1997-11-06), From URL:<http://www.google.de>, Pages 1 to 4, on June 29, 1999 (1999-06-29).

Applicants submit that copies of the above-cited references are enclosed herein.

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Attorney Docket No. 102882-102

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If the Examiner has any questions or feels that a discussion with Applicants' representative would expedite prosecution, the Examiner is invited and encouraged to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

DAVID GAUDOUT, ET AL.

Date: 07 June 2006

By: Todd E. Garabedian

Todd E. Garabedian, Ph.D.

Registration No. 39,197

Attorney for Applicants

WIGGIN AND DANA LLP

One Century Tower

P. O. Box 1832

New Haven, CT 06508-1832

Telephone: (203) 498-4400

Fax: (203) 782-2889

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By Todd E. Garabedian
Todd E. Garabedian, Ph.D.
Registration No. 39,197
Attorney for Applicants

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.56, the Examiner is respectfully requested to consider the references cited on attached Form PTO-1449. A copy of each reference (if not previously submitted) is enclosed. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- [X] 1. This Information Disclosure Statement is being filed within three months of the U. S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

- [] 2. This Information Disclosure Statement is being filed more than three months after the U. S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- [] a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1); and no fee is required under 37 C.F.R. §1.17(p).
- [] b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2); and no fee is required under 37 C.F.R. §1.17(p).
- [] Please charge Deposit Account No. 23-1665 in the amount of \$240.00 in payment of the fee under 37 C.F.R. §1.17(p). Two additional copies of this Information Disclosure Statement are enclosed.
- [] A check in the amount of \$240.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(p).
- [] 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered.
- [] a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1).

- [] b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).
- [] Please charge Deposit Account No. 23-1665 in the amount of \$130.00 in payment of the fee under 37 C.F.R. §1.17(i)(1). Two additional copies of this Information Disclosure Statement are enclosed.
- [] A check in the amount of \$130.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(i)(1).

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as a representation that no better art exists or that a thorough patentability search has been made.

The undersigned further represents that the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Respectfully submitted,

DAVID GAUDOUT, ET AL.

Date: 07 June 2006

By: Todd E. Garabedian
Todd E. Garabedian, Ph.D.
Registration No. 39,197
Attorney for Applicants

WIGGIN AND DANA LLP
One Century Tower
New Haven, CT 06508-1832

Telephone : (203) 498-4400
Telecopier: (203) 782-2889

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FORM PTO-1449

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|--|---|----------------------------------|-------------------|------------|----------|----------------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | ATTY. DOCKET NO. 102882-102 | | SERIAL NO. | | |
| | | APPLICANT: DAVID GAUDOUT, ET AL. | | | | |
| | | FILING DATE: HEREWITH | | GROUP: | | |
| U.S. PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL* | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPR. |
| | 6,511,674 B1 | 01/28/2003 | ARAND, A., et al. | A01N | 25/32 | |
| | US 2003/0077264 A1 | 04/24/2003 | GOODRICH, L. L. | A61K | 45/00 | |
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| FOREIGN PATENT DOCUMENTS | | | | | | |
| | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION Yes No |
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| OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.) | | | | | | |
| | LAWSON, LARRY D., ET AL., "Identification and HPLC Quantitation of the Sulfides and Dialk(en)yl Thiosulfonates in Commercial Garlic Products", XP 000195907, PLANTA MEDICA, Vol. 57, Pages 363-370 (1991). | | | | | |
| | TSAO, SHYH-MING and YIN, MEI-CHIN, "In-vitro antimicrobial activity of four diallyl sulphides occurring naturally in garlic and Chinese leek oils", XP-002347994, J. MED. MICROBIOL., Vol. 50, Pages 646-649 (2001). | | | | | |
| | DEB-KIRTANIYA, S., ET AL., "Extracts of garlic as possible source of insecticides", XP009055038, INDIAN JOURNAL OF AGRICULTURAL SCIENCES, Vol. 50 No. (6), Pages 507-509 (June, 1980). | | | | | |
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| | BLOCK, ERIC, "The Chemistry of Garlic and Onion, A number of curious sulfur compounds underlie the odor of garlic and the crying brought on by slicing an onion. The compounds also account for medical properties long ascribed to garlic and onions", XP002909483, SCIENTIFIC AMERICAN, SCIENTIFIC AMERICAN, INCL, Vol. 252, No. 3, Pages 114-119 (1985). | | | | | |
| | MÜTSCH-ECKNER, MARGO, ET AL., "γ-Glutamyl Peptides from Allium Sativum Bulbs", XP-002347995, PHYTOCHEMISTRY, Vol. 31, No. 7, Pages 2389-2391 (1992). | | | | | |
| | ALLIUM, S. E., "Garlic Barrier Ag for Natural Insect Control", XP-002107679, 'Online!, Last Modified on 16 November 1997 (1997-11-06), From URL: http://www.google.de , Pages 1 to 4, on June 29, 1999 (1999-06-29). | | | | | |
| EXAMINER: | | | DATE CONSIDERED: | | | |
| *EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | |